

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**FIFTEENTH CONGRESS
Second Regular Session**

House Bill No. 5101

**Introduced by Representatives
DIOSDADO MACAPAGAL ARROYO and GLORIA MACAPAGAL ARROYO**

**AN ACT
PROHIBITING THE ACCESS OF MINORS TO ALCOHOL AND PENALIZING
ESTABLISHMENTS THAT FURNISH ALCOHOL TO MINORS**

EXPLANATORY NOTE

Present laws in the country have set the minimum legal drinking age at 18 but due to leniency in monitoring and implementation, have led to unabated and widespread underage drinking. Compounding the problem is the ease by which alcohol such as beer and hard drinks can easily be bought in groceries and convenience stores by teenagers. Also, a great number of young people can get alcohol from home, from friends or can just discreetly buy for themselves which only goes to show that such products can easily be obtained from various sources.

Cases of violence, sexual and drug abuse and suicide among Filipino teenagers have been on the upswing due to underage drinking. Easy access to alcohol and other similar products by minors has become a growing concern for society as it slowly corrupts and destroys their future and that of the country.

This bill, therefore, seeks to guarantee that our nation's youth will become responsible members of Philippine society. It prohibits minors from drinking alcohol, and penalizes those who take advantage and illegally provide them easy access to alcohol including those establishments who sell such products to them with wanton disregard of the negative effects if uncontrolled.

In view of the foregoing reasons, the immediate passage of this proposed measure is earnestly requested.



DIOSDADO MACAPAGAL ARROYO
Second District, Camarines Sur



GLORIA MACAPAGAL ARROYO
Second District, Pampanga

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*Be it enacted by the Senate and House of Representatives of the
Philippines in Congress assembled:*

SECTION 1. *Short Title.* – This Act shall be known as the "Anti-Underage Drinking Act of 2011."

SECTION 2. *Declaration of Policy.* – The State recognizes the vital role of the youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. Towards this end, the State shall undertake efforts to eliminate alcohol abuse and reduce underage drinking by prohibiting minors' access to alcohol.

SECTION 3. *Definitions.* – For purposes of this Act, the term -

(1) "minors" – shall refer to one who is below 18 years old;

(2) "alcohol" – shall refer to ethyl alcohol, ethanol, or spirits of wine including all dilutions, purifications and mixtures thereof, from whatever source by whatever process produced and shall include whisky, brandy, rum, gin, tequila, and vodka and other similar products or mixtures. It shall also include malt beverages, mixed or fermented liquors, including tuba, basi, tapuy and lambanog;

(3) "alcoholic beverages" – shall refer to liquor or brew containing alcohol as the active agent; and

(4) "establishment" – shall refer to a place used for commercial purposes, such as bars, restaurants, dance clubs, hotels, retail stores, supermarkets, and other places with common business areas.

SECTION 4. *Prohibited Acts.* – The following acts are prohibited:

(1) The purchase of alcohol by minors from vendors or other sources.

(2) Purchasing or obtaining alcohol for minors.

(3) Misrepresentation of one's age by presenting false identification or otherwise represent themselves as being of legal purchase age.

(4) Allowing the consumption or possession of any alcoholic beverages by a person under 18 years of age on an establishment's premises, no matter who purchased the alcoholic beverages or where they were purchased.

(5) Selling, giving, or otherwise providing alcohol to minors by an establishment which is licensed to sell alcoholic beverages, or for any employee of that licensee, to sell or furnish any alcoholic beverages at any time to a person under 18 years of age.

SECTION 5. *Penalties.* -

(1) Any minor who has violated any of the provisions of this act shall be required to render community service. Community service may consist of such acts as being required to appear before school groups to explain the dangers of alcohol abuse. The objective is to require the offenders to provide services that benefit society in a more constructive way and introduce the idea of ethical action into the value system of the perpetrator.

Such minor shall then be committed to the care of his father or mother, or nearest relative or family friend or the proper rehabilitation facility if so required.

(2) Suspension of driver's license for those who permitted unlawful or fraudulent use of their license in connection with any of the violations listed above.

(3) Establishments that have violated any of the provisions of this law are subject to fines of Ten Thousand pesos (P10,000.00) for the first offense

and Fifty Thousand pesos (P50,000.00) for a repeated offense. Suspension or revocation of the license of repeat offenders shall be recommended to the appropriate local government unit.

SECTION 6. *Creation of the Anti-Underage Drinking Body.* – A body tasked with monitoring the enforcement of this law shall be created. It shall be composed of a chair and four (4) members, who shall be appointed by the President. The body shall have the following powers and duties:

- (1) To monitor the enforcement and compliance with this law;
- (2) To recommend the suspension or revocation of permits for erring establishments. Such recommendations will be submitted to the mayor's office, at the licensing office of the local government unit concerned;
- (3) To refer cases to the Department of Social Welfare so that adequate assistance and care may be given to the minor and the minor's parents; and
- (4) To make an annual report to Congress on the enforcement of the law.

SECTION 7. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the appropriations of the Department of Social Welfare and Development (DSWD). Thereafter, such sum as may be necessary for its full implementation shall be included in the annual General Appropriations Act as a distinct and separate item.

SECTION 8. *Separability Clause.* – If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 9. *Repealing Clause.* – All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders or rules and regulations, which may be inconsistent with this Act shall be deemed repealed, amended or modified accordingly.

SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days following its publication in two (2) newspapers of general circulation.

Approved,